

§ 649.9

will be sufficient to rebut the presumption.

[59 FR 31943, June 21, 1994, as amended at 61 FR 16883, Apr. 18, 1996]

§ 649.9 Facilitation of enforcement.

See § 620.8 of this chapter.

§ 649.10 Penalties.

See § 620.9 of this chapter.

Subpart B—Management Measures

§ 649.20 Harvesting and landing requirements.

(a) *Condition.* By being issued a Federal limited access American lobster permit, the vessel owner is subject to all measures in this subpart, regardless of where American lobsters were harvested.

(b) *Carapace length.* (1) The minimum carapace length for all American lobsters harvested in or from the EEZ is 3¼ inches (8.26 cm).

(2) The minimum carapace length for all American lobsters landed, harvested, or possessed at or after landing by vessels issued a Federal American lobster permit, is 3¼ inches (8.26 cm).

(3) No person may ship, transport, offer for sale, sell, or purchase, in interstate or foreign commerce, any whole live American lobster that is smaller than the minimum size specified in this paragraph (b).

(c) *Mutilation.* (1) No person may remove meat or any body appendage from any American lobster harvested in or from the EEZ before landing, or to have in possession on board any American lobster part other than whole lobsters.

(2) No owner, operator or person aboard a vessel issued a Federal American lobster permit may remove meat or any body appendage from any American lobster before landing, or to have in possession on board any American lobster part other than whole lobsters.

(d) *Berried females.* (1) Any berried female American lobster harvested in or from the EEZ must be returned to the sea immediately.

(2) Any berried female American lobster harvested or possessed by a vessel issued a Federal American lobster per-

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mit must be returned to the sea immediately.

(3) No person may ship, transport, offer for sale, sell, or purchase, in interstate or foreign commerce, any berried female American lobster as specified in this paragraph (d).

(e) *Scrubbing.* (1) No person may remove extruded eggs attached to the abdominal appendages from any female American lobster harvested on or from the EEZ.

(2) No owner, operator or person aboard a vessel issued a Federal American lobster permit may remove extruded eggs attached to the abdominal appendages from any female American lobster.

(3) No person may ship, transport, offer for sale, sell, or purchase, in interstate or foreign commerce, any whole live American lobster that bears evidence of the forcible removal of extruded eggs from its abdominal appendages as specified in this paragraph (e).

§ 649.21 Gear identification and marking, escape vent, and ghost panel requirements.

(a) *Identification.* All lobster gear deployed in the EEZ or possessed by a person whose vessel is permitted for fishing in the EEZ, and not permanently attached to the vessel, must be legibly and indelibly marked with one of the following codes of identification:

(1) A number assigned by the Regional Director; and/or

(2) Whatever positive identification marking is required by the vessel's home-port state.

(b) *Marking.* In the areas of the EEZ described in paragraph (b)(4) of this section, lobster pot trawls are to be marked as follows:

(1) Lobster pot trawls of three or fewer pots must be marked with a single buoy.

(2) Lobster pot trawls consisting of more than three pots must have a radar reflector and a single flag or pennant on the westernmost end (marking the half compass circle from magnetic south through west, to and including north), while the easternmost end (meaning the half compass circle from magnetic north through east, to and including south) of an American lobster pot trawl must be marked with a